

# **Contractor Safety Program**

**Environmental Health and Safety  
University of Toronto**

## ***Contractor Safety Program***

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## ***Contractor Safety Program***

### ***Definitions***

#### OCCUPATIONAL HEALTH & SAFETY ACT (R.S.O. 1990, CHAPTER O.1) DEFINITIONS:

“competent person” means a person who,

- (a) is qualified because of knowledge, training and experience to organize the work and its performance,
- (b) is familiar with this Act and the regulations that apply to the work, and
- (c) has knowledge of any potential or actual danger to health or safety in the workplace;

“construction” includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, or concreting, the installation of any machinery or plant, and any work or undertaking in connection with a project but does not include any work or undertaking underground in a mine; (“construction”)

“constructor” means a person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer;

“designated substances” are the following chemical agents prescribed as designated substances: Acrylonitrile, Arsenic, Asbestos, Benzene, Coke oven emissions, Ethylene oxide, Isocyanates, Lead, Mercury, Silica and Vinyl chloride;

“employer” means a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services;

“owner” includes a trustee, receiver, mortgagee in possession, tenant, lessee, or occupier of any lands or premises used or to be used as a workplace, and a person who acts for or on behalf of an owner as an agent or delegate;

“project” means a construction project, whether public or private, including,

- (a) the construction of a building, bridge, structure, industrial establishment, mining plant, shaft, tunnel, caisson, trench, excavation, highway, railway, street, runway, parking lot, cofferdam, conduit, sewer, watermain, service connection, telegraph, telephone or electrical cable, pipe line, duct or well, or any combination thereof,
- (b) the moving of a building or structure, and
- (c) any work or undertaking, or any lands or appurtenances used in connection with construction;

“supervisor” means a person who has charge of a workplace or authority over a worker;



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### OTHER PERTINENT DEFINITIONS APPLICABLE TO THIS PROGRAM:

“construction project” is work falling under the Construction Projects Regulations (O.Reg.213/91) of the Occupational Health and Safety Act. In addition to description of “Construction” and “Projects” in the above section, the following may also be considered to be construction projects and require Notice of Projects to be submitted to MOL before work begins:

- (a) the total cost of labour and materials for the project is expected to exceed \$50,000;
- (b) the work is the erection or structural alteration of a building more than two storeys or more than 7.5 metres high;
- (c) the work is the demolition of a building at least four metres high with a floor area of at least thirty square metres;
- (d) the work is the erection, structural alteration or structural repair of a bridge, an earth-retaining structure or a water-retaining structure more than three metres high or of a silo, chimney or a similar structure more than 7.5 metres high;
- (e) work in compressed air is to be done at the project;
- (f) a tunnel, caisson, cofferdam or well into which a person may enter is to be constructed at the project;
- (g) a trench into which a person may enter is to be excavated at the project and the trench is more than 300 metres long or more than 1.2 metres deep and over thirty metres long;  
or
- (h) a part of the permanent or temporary work is required by this Regulation to be designed by a professional engineer. O. Reg. 213/91, s. 6 (1).

“Project/Work Coordinator” means a competent person who,

- (a) is responsible for planning, coordinating and meeting the objectives of construction projects
- (b) is typically a Project Manager or a Property Manager, but can be any university employee who hires contractors to conduct maintenance work

“building contact” means a competent person who,

- (a) is responsible for managing or maintaining university buildings, building systems or programs, who belong to:
  - a. St. George: Property Management, Fire Prevention (Fire), Utilities & Building Operations
  - b. Mississauga: Facilities Management & Planning (Fire), Student Housing & Residence Life
  - c. Scarborough: Facilities Management, Security, Fire & Parking (Fire), Student Housing & Residence Life

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### **Overview**

University of Toronto is a complex workplace with a large array of environmental and occupational health & safety hazards (e.g. chemical, biological, radiation, physical, asbestos, etc.). There are various stakeholders at the University of Toronto – Senior Management, Faculty, Managers, Supervisors, Workers, Contractors, etc., that have responsibilities and accountabilities under the Occupational Health and Safety Act.

Although contractors are not employees of University of Toronto, the Occupational Health and Safety Act still requires that contractors and constructors doing work for the University of Toronto be accountable to requirements of the Occupational Health and Safety Act (and regulations) and thus protect their workers while working on University property. Additionally, contractors and constructors must ensure that their work does not endanger the health and safety of the University community.

It is therefore the University's objective to:

- select, hire and work with only competent contractors who conform to the Occupational Health and Safety Act of Ontario.
- ensure internal work departments are competent who conform to the Occupational Health and Safety Act of Ontario.
- ensure that external contractors and internal work departments are made aware of their obligations under the Ontario Occupational Health and Safety Act (and regulations) as well as the University's Environment, Health and Safety requirements, safety standards and procedures.
- provide information on known hazards on University premises, as they relate to the construction/work site;

All contractor and University supervisors must ensure that each of their workers who appear on site to perform work:

- are made aware of their responsibilities, and abide by the University's Environment, Health and Safety requirements, safety standards and procedures;
- are made aware of any known hazards at the university workplace and report unsafe situations or safety incidents to their line management;
- are trained and qualified in the work they perform and are instructed in the safety procedures to be followed to avoid these hazards, and;
- are working safely and are taking all necessary actions and precautions to protect themselves and the University community and property.

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### ***Introduction to Contractor Safety***

Work falling under the Construction Projects Regulations (O.Reg.213/91) of the Occupational Health and Safety Act. Please refer to the definitions section for description of “Construction” and “Projects”.

Every construction project has both an owner and a constructor. The constructor has special meaning under the Occupational Health and Safety Act and will either be the owner of the project or an external company contracted by the owner to undertake the project for the owner.

When the University hires an external contractor, as a sole contractor on a construction site – that contractor becomes the “constructor”. The constructor may hire other contractors called “sub-contractors” and remain a constructor.

When multiple contracts to the University on one construction site are implemented, providing that each contractor is separated by time and space, the University will not become the constructor. Separation requires a physical separation or barrier as well as separate access times (e.g. different shifts). The owner may also engage the services of a professional engineer, an architect, or another person (Prime Consultant) solely to oversee the quality control of the project without becoming the constructor.

Work falling under the Industrial Establishments Regulations (O.Reg.851) and Window Cleaning Regulations (O.Reg.859) of the Occupational Health and Safety Act are outside the definition of a construction project. Descriptions of “Construction”, “Projects” and “Construction projects” are specified in the definition section. For more information about the definition of construction projects vs. maintenance work, please contact EHS.

### ***Scope***

This program covers all construction, maintenance and professional activities conducted by external contractors for the university that poses higher risk than a visitor to the university and situations where a University department is bidding against external contractors for a project.

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### ***Roles and Responsibilities***

#### ***Responsibility of Environmental Health and Safety***

- a) Prepares a Contractor Safety program and oversees the establishment of processes to implement the contractor safety program
- b) Ensures hazard information are provided to University of Toronto Project/Work Coordinator when requested (Appendix B – Contractor Safety Acknowledgement form)
- c) Provides consultation on designated substances and complex hazards as applicable.

#### ***Responsibilities of Hazardous Construction Materials Group (St. George only)***

- a) Consults on designated / hazardous substances such as Asbestos, Lead and Silica. Provides designated substances report with written description of the hazards including type, location, classification of hazards type and removal method; and
- b) Provides assistance and oversight on projects which require designated substance removal

#### ***Responsibilities of University of Toronto Project/Work Coordinator (e.g. Property/Project Manager, Department Supervisor)***

- a) Functions as the primary contact for the contractor/constructor for safety issues or concerns that may arise during the tenure of the contract.
- b) Ensures that external contractors and university work departments are made aware of specific hazards at the University.
- c) Ensures the contractor/constructor selected for the project/work are pre-qualified for the specified scope of work and ensures that the contractor/constructor and helps to ensure the contractor/constructor performs work within the specified scope.
- d) Participates in the exchange of information between the University and the external contractor. Ensures designated substances report is given to the contractor as per Section 30, subsection 1-3 of the OHSA. Ensures that the external contractor is aware of the requirement to report incidents and emergencies to the University by using the on-line incident form for Students, Contractors and Visitors which can be found at [www.ehs.utoronto.ca](http://www.ehs.utoronto.ca)
- e) Communicates safety/shutdown notices as well as negative impacts (such as roof tarring, noise, rerouting) to relevant parties (e.g. including building occupants, EHS staff, building and key contacts)

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- f) In the circumstances where external contractor will be using University equipment (e.g. aerial lift), must coordinate with equipment owning department and ensure the equipment to be rented to the contractor during the work/project are properly maintained and inspected as per manufacturer's guidelines and applicable legislation/standards.

### ***Responsibilities of Construction, Maintenance & Contractor Supervisors***

- a) Be aware of and comply with the Ontario Occupational Health and Safety Act and regulations;
- b) Employ competent supervisors and trained workers as defined in the OHSA;
- c) Supply all personal protective equipment, emergency equipment (e.g. First aid kits, fire extinguishers) for their employees, including tools and equipment in good working order;
- d) Unless specific permission is provided, the external contractor will not use University of Toronto equipment or tools or emergency equipment such as first aid kits or fire extinguishers;
- e) If permission is obtained to use university equipment (e.g. aerial lift), must ensure employees are trained and qualified to use the specific equipment;
- f) Provide appropriate documentation to the UofT contact as requested (such as an assurance to the Project/Work Coordinator that all equipment that is used on University property is in good working order);
- g) Ensure the Contractor Safety Acknowledgement form is completed and all documents required are submitted to the UofT Contact
- h) Administer permits, and shut down notices and/or notify or coordinate through Project/Work Coordinator as appropriate. Discuss work conditions and safety as agenda items at all safety meetings;
- i) Monitor health and safety compliance and performance.

### ***Responsibilities of Workers***

Workers in general, regardless of whether they are employees of the University, Contractor or Sub-contractors must at a minimum fulfill Responsibilities of Workers as defined in the Occupational Health and Safety Act, which includes and not limited to:

- a) Not expose themselves to any condition that may endanger themselves, or any other worker, visitor or guest;
- b) Promptly report any unsafe act or condition and any environmental or safety incident or concern that they may become aware of to their supervisor;
- c) Not proceed with any work, or operate any equipment for which they have not received proper training;
- d) Conduct themselves in a safe, respectful, and orderly manner at all times while on U of T property, and;
- e) Understand and comply with all relevant safety regulations, codes, procedures, standards and policies.



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### ***Program Elements***

This program has three main components:

1. Contractor Safety Program
2. Contractor Safety Flowchart
3. Contractor Safety Acknowledgement Form

### ***Hazard Identification & Communication***

Prior to the tender/procurement during the planning process, the Project/Work Coordinator must consult with all relevant parties (e.g. Environmental Health & Safety, Occupants, Hazardous Building Materials (for St. George), Building Contacts, External Consultants, etc.) to identify possible hazards to the contractors as a result of the university environment, university employees and community as a result of the scheduled work. Construction/Maintenance/Contractor Safety Acknowledgement form is used to identify hazards and control measures associated with each step. All hazards must be communicated using the Contractor Safety Acknowledgement form to contractors so that hazard controls are factored into the work quote and proposal.

During planning, construction, scheduling, duration and process for hazardous work is monitored by the Project/Work Coordinator who will inform appropriate groups when the work is to be carried out and work with the different stakeholders to ensure safety of the university community.

### ***Project/Work Safety Acknowledgement***

After the contractor safety form is used by the project/work coordinator to identify possible hazards to the contractors/work department as a result of the university environment, the form is given to the contractor/work department supervisor to complete. All sections must be filled out and will be reviewed by the project/work coordinator. Only when the project/work coordinator is satisfied with all answers given by the contractor/work department, should the project/work coordinator organize the pre-start meeting with the contractor/work department supervisor.

### ***Contractor Prequalification***

Contractors that conduct routine work for the university within a defined work scope can be prequalified annually to be part a pre-approved contractor list. For more complex projects or work involving multiple work parties, the contractor safety acknowledgment form must be filled out for each project or work.



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### ***Contractor Disqualification***

Contractors that have repeatedly demonstrated an inability to provide sufficient information for Contractor Safety Acknowledgment and/or an inability to maintain health and safety of the university community may be disqualified from further work.

### ***Training***

#### **a) Competent Workers**

- a. Each party involved in a construction project or maintenance work must ensure its workers meet the definition of a “Competent Person” as defined by the Occupational Health and Safety Act
- b. The Contractor shall produce upon request “proof of competency”, which includes but is not limited to training certificates.

### ***Safety Meetings & Site Inspections***

At the initial construction meeting after the work has been awarded, the Project/Work Coordinator will review the information of the contractor safety acknowledgement form and related health and safety issues with the contractor/work department supervisor and ensure all information is completed and understood by the contractor/work department supervisor. The contract/work department and project/work coordinator will co-sign the form after all information on the form are discussed, agreed upon and understood. The project/work coordinator will request regular updates on general health and safety on the site. Project/Work Coordinator will provide direction for appropriate processes and contacts in order to facilitate the work in a timely and safe manner. University contacts should be supplied with the contractors’ safety meeting minutes and safety inspections.

If an unsafe work practice is noted during a routine site visit or noted by a university employee, the Project/Work Coordinator must be notified, who will immediately notify the contractor responsible for the site and request resolution. Depending on the hazard, the Project/Work Coordinator may request that work is stopped pending notification of the contractor and/or other personnel.

### ***Notification & Permits***

Before the start of a project/work, notification requirements must be sorted out by the project/work coordinator in conjunction with the contractor/work department supervisor. The Contractor Safety acknowledgement form must be used to identify basic notification and permit requirements. A copy of the contractor safety acknowledgement form must be forwarded to EHS and the appropriate building contact (e.g. Property Management, Facilities Management, etc.).



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### Internal permits

Internal permits and systems shutoff forms must be obtained for the high risk work (e.g. hot work, confined space entry, shutoff of fire, HVAC and water systems). If the work occurs on UofT premise during operation, they must be coordinated through the project/work coordinator. If the work occurs within a construction site separated from UofT operations, the constructor would administer the permit systems. For laboratory projects or work, the UofT lab design standard and laboratory space decommissioning processes must be followed

### External permits

A Notice of Project to the Ministry of Labour is required if:

- The project has a total cost of labour and materials expected to exceed \$50,000;
- The work is the erection or structural alteration of a building more than two storeys or more than 7.5 metres high;
- The work is the demolition of a building at least 4 metres high with a floor area of at least 30 square metres;
- The work is the erection, structural alteration or structural repair of a bridge, an earth-retaining structure or a water-retaining structure more than 3 metres high or of a silo, chimney or a similar structure more than 7.5 metres high;
- Work in compressed air is to be done at the project;
- A tunnel, caisson, cofferdam or well into which a person may enter is to be constructed at the project;
- A trench into which a person may enter is to be excavated at the project and the trench is more than 1.2 metres deep; or
- A part of the permanent or temporary work is required by this Regulation to be designed by a professional engineer.

### **Posting and additional notification requirements**

- The constructor/employer must print a copy of the Notice of Project, sign and post it at the project or make it available at the project for review by a Ministry of Labour inspector.
- Estimated cost of labour and materials, including the labour and materials of all sub-contractors must be entered where required.
- Contact the MOL office nearest the project to notify the Ministry and to obtain your Notification Number prior to starting the operation for projects involving:
  - Trenching more than 1.2m;
  - Multi-tiered lifts as defined by section 103.1 of the Regulation;
  - Use of cranes to lift workers (section 153 (11));



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- Dismantling of multi-point suspended scaffolds;
- Window cleaning (where workers may fall a vertical distance of three metres or more, or if prior to carrying out window cleaning work at a building in Ontario if a suspended scaffold, boatswain's chair or similar single-point equipment is to be used); or
- Type 3 asbestos operations and type 2 asbestos glove bag removals of less than one square metre.

Note: In case of an emergency the work at the project may be started if the information required is provided to the Ministry by phone or by fax. For details please refer to Section-6(5) of Ontario Regulation-213/91 for construction projects. In emergency situations, the UofT project/work coordinator must be notified.

### ***Personal Protective Equipment***

- University of Toronto supplies personal protective equipment for its own personnel. External contractors are responsible for providing personal protective equipment for their own personnel
- All personnel are responsible for proper use of personal protective equipment in circumstances required by law or as a result of hazardous conditions
- Supervisory personnel are responsible for ensuring that users of personal protective equipment have adequate knowledge of proper use, care, inspection, maintenance and limitations of the equipment.

### ***Usage of University of Toronto Equipment***

Contractors are expected to use their own equipment, tools and materials to conduct work at the university. However, in rare circumstances, UofT equipment must be used by contractors to conduct the work. In these cases, contractor must identify this need on the Contractor safety acknowledgement form and must obtain approval from the project/work coordinator ahead of time. The contractor must ensure their employees who will be using the machine be qualified and trained to use the specific equipment safely. The validity of the equipment operation certifications will be verified by the project/work coordinator. The project/work coordinator must ensure the equipment to be used by the contractor is in good working order and maintained as per manufacturers and any applicable legislation and standards.

### ***Subcontractors***

Contractors hiring sub-contractors to work at the University are fully responsible for ensuring the health and safety of the sub-contractors and the university community as a result of the work. Contractors must have a contractor safety management program to ensure they are hiring competent sub-contractors that would follow all applicable health



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and safety legislation, standards, university procedures and general contract conditions. Examples of sub-contractor requirements: Unionized sub-trades, valid WSIB coverage, adequate liability insurance coverage and trained and qualified employees.

### ***Waste***

- All waste generated at the project/work is the responsibility of the contractor/work department. Supervisors must ensure waste are disposed of according to applicable legislation and university procedures.

### ***Incident, Accident, Occupational Disease Reporting***

#### **1. Reporting Injuries and occupational Illnesses**

- An “occupational illness” is defined as a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological function of the worker is impaired. It includes an occupational disease for which a worker is entitled to benefits under the Workplace Safety and Insurance Act, 1997.
- Any employee suffering an injury or occupational illness at a university workplace or job site must report the injury / illness to his / her supervisor as soon as practicable.
- All non-employees involved in an incident/accident must report the event to a University of Toronto contact. Within 24 hours, the University of Toronto contact must complete and submit the "Online Accident/Incident Report for Students, Contractors, and Visitors." <https://ehs.utoronto.ca/report-an-incident/online-accidentincident-eform-for-students-contractors-and-visitors/>
- First aid should be sought and provided if necessary.
- If the worker requires emergency medical care call 9-1-1 and/or Campus Police, describe the need, and request an ambulance.

#### **2. Reporting Workplace Critical Injuries or Fatalities**

- A “critical injury” is an injury that,
  - places life in jeopardy,
  - produces unconsciousness,
  - results in substantial loss of blood
  - involves the fracture of a leg or arm but not a finger or toe,
  - involves the amputation of a leg, arm, hand or foot but not a finger or toe,
  - consists of burns to a major portion of the body, or

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- causes the loss of sight in an eye.
- If a person has been critically injured or killed at the workplace, the employer must immediately notify an inspector at the nearest Ministry of Labour office, and the joint health and safety committee or health and safety representative (if any). Notification of the Ministry of Labour must be by direct means, such as by telephone, telegram or facsimile. Within 48 hours, the employer must also notify, in writing, a Regional Director of the Ministry of Labour, giving the circumstances of the occurrence. If the injured employee is a UofT employee, EHS must be notified and EHS will notify the MOL. If the employee is an external contractor/sub-contractor employee, the employer must notify MOL, Campus Police and the UofT Contact person.
- When a critical injury occurs, one must:
  - a. Ensure that there is no further danger in and around the incident scene.
  - b. Ensure that the injured, other workers and public are protected.
  - c. Perform the above tasks causing as little disturbance to the incident scene as possible.
  - d. Do not disturb the scene.
  - e. Leave articles or wreckage “as is” unless it causes hazard or represents a danger to the public.
  - f. Secure the incident scene.
  - g. Provide a barricade, or signs to prevent people from entering and disturbing evidence.
  - h. Turn control over to the police or Ontario Ministry of Labour upon their arrival.

### **3. Other emergencies**

- University work departments conducting construction or maintenance work must notify Campus Police and EHS when an emergency happens to ensure the appropriate level of response is provided and all applicable legislated processes are followed. These emergencies are not limited to elevator incidents, carbon monoxide incidents, pipeline strikes, explosions, liquid petroleum spills, serious electrical incidents, environmental releases, discovery of unexpected asbestos, fires, etc.
- External contractors are expected to inform Campus Police and the UofT Project/Work Coordinator when an emergency occurs at a UofT worksite and are expected to call any other external emergency contacts as appropriate for the circumstance.

### **Emergency Contacts**

University of Toronto Campus Police	
St. George	(416)978-2222
Scarborough	(416)978-2222
Mississauga	(416)569-4333
Ministry of Labour	1(800)268-8013



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Ministry of Environment Spills Action Centre	1(800)268-6060
Technical Standards and Safety Authority	1(877)682-8772
Electrical Safety Authority	1(877)372-7233
Enbridge Gas	1(866)763-5427
Hydro One	1(800)434-1235
Toronto Water	416-338-8888

***Program Audit & Review***

Environmental Health & Safety may conduct a periodic program audit and review to ensure program requirements are met by all workplace parties, including Project/Work Coordinators, university supervisors, contractors, supervisors and workers.

***Disclaimer***

The information presented herein is, to the best of our knowledge, current at time of printing and is intended for general application. This publication is not a definitive guide to government regulations or to practices and procedures wholly applicable under every circumstance. It is the responsibility of the Contractor to ensure that the appropriate regulations and statutes are consulted and adhered to.

***Appendix***

- Appendix A - Contractor Safety Program Flowchart
- Appendix B – Contractor Safety Acknowledgement form